



The following constitutes the order of the court.  
Signed October 29, 2015

  
William J. Lafferty, III  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re

Courtney Athena Jackson,

Debtor.

Case No.: 15-43256

Chapter 7

**MEMORANDUM REGARDING DEBTOR'S MOTION TO CONVERT CASE**

The above-captioned bankruptcy Chapter 7 case was filed on October 22, 2015 (doc. 1). On October 23, 2015 Debtor filed a *Motion for Conversion of Chapter 7 Case to Chapter 13* (doc. 6) (the "Motion"). Upon a close inspection of the Motion, the Court is unable to make a determination on the Motion for the following reasons:

1. It does not appear that the Motion was served on the Chapter 7 Trustee, the U.S. Trustee, and/or all parties in interest pursuant to Local Bankruptcy Rule 1017-1.<sup>1</sup> The Certificate of Service that accompanies the Motion

<sup>1</sup> The Local Bankruptcy Rules can be found at the court's website ([www.canb.uscourts.gov](http://www.canb.uscourts.gov)) under the "Rules and Procedures" tab.

1 states that the Motion was "furnished to all parties  
2 listed on the Debtor's Creditor's Matrix and Amendment  
3 to Creditor's Matrix by U.S. Mail." The Court would  
4 prefer if Debtor explicitly demonstrated service to the  
5 Office of the United States Trustee, the Chapter 7  
6 Trustee, and all creditors.

- 7 2. Proper Notice of the Motion must be made pursuant to  
8 Local Bankruptcy Rule 9014-1(b)(3). The Notice must  
9 include specific language as indicated in Local  
10 Bankruptcy Rule 9014-1(b)(3). Under this rule, commonly  
11 referred to as the "scream or die" rule, if there are no  
12 objections after 21 days, the Court may convert the case  
13 without a hearing. If Debtor wishes to pursue  
14 conversion under this rule, it must be explicitly stated  
15 in a proper Notice of the Motion.

16 **\*END OF MEMORANDUM\***  
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**COURT SERVICE LIST**

**Courtney Athena Jackson**  
1522 Woolsey St. Apt. A  
Berkeley, CA 94703

**Trustee**  
**Paul Mansdorf**  
1563 Solano Ave. #703  
Berkeley, CA 94707

**U.S. Trustee**  
**Office of the U.S. Trustee/Oak**  
Office of the U.S. Trustee  
1301 Clay St. #690N  
Oakland, CA 94612